

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

ROBERT LEE BANARGENT,)
TDCJ #1337759,)
Plaintiff,)
v.)
L. LITTLE, COIV,)
Defendant.)
Civil No. 7:12-CV-195-O-BL

ORDER ACCEPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After making an independent review of the pleadings, files and records in this case, of the Report and Recommendation of the United States Magistrate Judge, and of Plaintiff's "Instructions" (Doc. No. 22), I am of the opinion that the Report and Recommendation of the Magistrate Judge is correct and it is hereby adopted and incorporated by reference as the Findings of the Court.

Plaintiff's civil rights claims are hereby DISMISSED without prejudice as barred by the three strikes provision of 28 U.S.C. § 1915(g).

Plaintiff's habeas claims are DENIED.

The **Clerk of Court** shall open and close a habeas action under 28 U.S.C. § 2254 for statistical purposes.

SO ORDERED this 4th day of December, 2012.


Reed O'Connor
UNITED STATES DISTRICT JUDGE